

# In the United States Court of Federal Claims

## OFFICE OF SPECIAL MASTERS

\* \* \* \* \*

SHAGUFTA MALIK,	*	No. 13-595V
Petitioner,	*	Special Master Christian J. Moran
	*	

v.	*	Filed: March 24, 2016
	*	

SECRETARY OF HEALTH	*	Attorneys' fees and costs; award in
AND HUMAN SERVICES,	*	the amount to which respondent
	*	has not objected.

Respondent.	*	
-------------	---	--

\* \* \* \* \*

F. John Caldwell, Maglio, Christopher & Toale, PA, Sarasota, FL, for Petitioner;  
Traci Patton, United States Dep't of Justice, Washington, DC, for Respondent.

### **UNPUBLISHED DECISION ON FEES AND COSTS<sup>1</sup>**

Petitioner, Shagufta Malik, filed an unopposed application for final attorneys' fees and costs in the above-captioned matter on March 3, 2016. Based on discussions with respondent, petitioner requests \$25,000.00 for attorneys' fees and costs. Respondent did not file an objection. The Court awards this amount.

Ms. Malik filed for compensation on August 21, 2013, alleging that the influenza vaccine she received on October 15, 2010, caused her to suffer from Guillain-Barré syndrome. Petitioner received compensation based upon the parties' stipulation. Decision, issued September 22, 2015. Because petitioner received compensation, she is entitled to an award of attorneys' fees and costs. 42 U.S.C. § 300aa-15(e).

---

<sup>1</sup> The E-Government Act, 44 U.S.C. § 3501 note (2012) (Federal Management and Promotion of Electronic Government Services), requires that the Court post this decision on its website. Pursuant to Vaccine Rule 18(b), the parties have 14 days to file a motion proposing redaction of medical information or other information described in 42 U.S.C. § 300aa-12(d)(4). Any redactions ordered by the special master will appear in the document posted on the website.

Petitioner seeks a total of **\$25,000.00**, in attorneys' fees and costs for her counsel. Petitioner did not advance any monies in reimbursable costs in pursuit of her claim, pursuant to General Order #9. Respondent did not object to the amount requested for attorneys' fees and costs.

After reviewing the request, the Court awards the following:

**A lump sum of \$25,000.00, in the form of a check made payable to petitioner and petitioner's attorney, F. John Caldwell, Jr., Esq., of Maglio Christopher and Toale, for attorneys' fees and other litigation costs available under 42 U.S.C. § 300aa-15(e).**

The Court thanks the parties for their cooperative efforts in resolving this matter. The Clerk shall enter judgment accordingly.<sup>2</sup>

Any questions may be directed to my law clerk, Shannon Proctor, at (202) 357-6360.

**IT IS SO ORDERED.**

s/Christian J. Moran  
Christian J. Moran  
Special Master

---

<sup>2</sup> Pursuant to Vaccine Rule 11(a), the parties can expedite entry of judgment by each party filing a notice renouncing the right to seek review by a United States Court of Federal Claims judge.